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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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IN RE: POSSIBLE VIOLATIONS :
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OF 18 USC 2511 and 2512 :
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Grand Jury Room No. 3
United States District Courthouse
3rd & Constitution Avenue, N. W.
Washington, D. C.

Monday, November 19, 1973

The testimony of JOHN W. DEAN, III, was presented
to a full quorum of the Grand Jury.

BEFORE:

RICHARD BEN-VENISTE
Assistant Special Prosecutor
United States Department of Justice

GEORGE T. FRAMPTON, JR.
Assistant Special Prosecutor
United States Department of Justice

JILL VOLNER
Assistant Special Prosecutor
United States Department of Justice

1 BY MR. FRAMPTON:

2 Q Now, on or about February 4, 1972, did you attend
3 another meeting in Mr. Mitchell's office at which the same
4 people were present -- that is, Mr. Mitchell, Mr. Liddy and
5 Mr. Magruder and yourself?

6 A I did, yes.

7 Q And who called you about this meeting or contacted
8 you about it?

9 A Again, it had been set up by Mr. Magruder, as the
10 first meeting had, also.

11 Q Did he tell you what the purpose of the meeting was
12 before you arrived?

13 A I was aware of the fact that Mr. Liddy was going to
14 present his revised plan.

15 Q Now, who was present when you arrived at Mr. Mit-
16 chell's office?

17 A Well, I arrived at the meeting quite late. I don't
18 know how long it had been proceeding before I arrived. I had
19 some hesitations about even going to the meeting and then
20 thought I ought to go ahead and go and see what was going on.

21 When I arrived, the meeting was in progress and Mr.
22 Liddy and Mr. Magruder and Mr. Mitchell were talking about
23 some of the same things that had been talked about in the
24 first presentation. This was really sort of a scaled-down
25 version.

1 Q Did Mr. Liddy again have charts?

2 A He didn't have charts. He had handed out some
3 papers, as I recall, and I believe they were budget papers
4 on the revised budget for the plan.

5 Q When you say papers, you mean eight by eleven?

6 A Eight by eleven, right.

7 Q Or legal size?

8 A Typing size. Eight by eleven, right, I believe was
9 the size.

10 Q Did you say that the others at the meeting had
11 copies of these documents?

12 A Yes, they did.

13 Q While you attended the meeting, was there some dis-
14 cussion of the substance of the scaled-down proposal?

15 A Well, there was enough discussion that I was aware
16 of what was going on, and I don't know how long I was at the
17 meeting, but it wasn't three, four, five minutes when I
18 thought that I should interject myself in the meeting and I
19 didn't think it was appropriate to be discussing these things.
20 So I tried to do it in as graceful a way as I could, but I
21 said to all present, I said I thought the meeting should stop;
22 that these were matters that should not be discussed in the
23 office of the Attorney General of the United States.

24 Q Now, did you learn, while at the meeting, what the
25 budget for Mr. Liddy's scaled-down program was?

1 A As I recall it, it had been cut in half.

2 Q And did you learn whether the revised or scaled-
3 down plan also entailed a considerable amount of electronics
4 surveillance?

5 A I was certainly aware of the fact that it did in-
6 volve electronics surveillance, yes.

7 Q Now, during either of these meetings, or both of
8 these meetings, were any targets discussed for surveillance
9 or other surreptitious intelligence?

10 A Yes. I can't tell you in which meeting, for certain,
11 I recall discussion of this, but I do recall a couple of
12 potential-type targets being mentioned.

13 I remember one was the Fontaine Bleu Hotel in Miami,
14 because I remember Mr. Liddy saying that they had already
15 explored the possibility of getting rooms in the hotel near
16 some of the candidates who would be staying in that hotel.

17 Q Democratic candidates?

18 A Democratic candidates, yes, during the Democratic
19 Convention. I also remember a discussion of Mr. Larry O'Brien
20 as a target. I recall a discussion of the Democratic Head-
21 quarters as a potential target.

22 Q When you say Democratic Headquarters, what do you
23 mean by that?

24 A Well, you know, I can't recall -- in my mind now,
25 of course, the DNC here in Washington jumps into my head.

1 Whether it was necessarily limited to that, at the time, I'm
2 just not certain.

3 Q Now, was there any particular interest in getting
4 information about Larry O'Brien, among the White House staff,
5 at this time?

6 A Well, there had been a long interest in Larry O'Brien
7 at the White House. The first time I became aware of it was
8 about a month after I joined the White House staff when Mr.
9 Haldeman sent me a request -- and this is really the first
10 sort of political intelligence request I had ever had -- to
11 get certain information about Larry O'Brien.

12 So it started as early as August of 1970, and there
13 had been periodic requests along the way that had come to my
14 attention for information about Mr. O'Brien, and I was aware
15 of general interest, in the White House, in Mr. O'Brien, yes.

16 Q After you said that these matters ought not to be
17 discussed in the presence of the Attorney General anymore,
18 did that break up the meeting?

19 A Yes, it did.

20 Q And did Mr. Mitchell say anything, to your knowledge,
21 to Mr. Liddy about the future of this plan, at that time?

22 A There may have been discussion, but I don't have
23 any recollection of it. I think my comments put a real damper
24 on the meeting. That ended it.

25 Q Now, as you were leaving the meeting -- after the

- 1 meeting -- did you again have a conversation with Mr. Liddy?
- 2 A I did.
- 3 Q And what was the substance of that conversation?
- 4 A I told him that I would not talk to him any further
- 5 about this matter. I said it just wasn't something that I
- 6 was going to be at all interested in or be willing to talk to
- 7 him about.
- 8 Q Did you tell Mr. Liddy then, in substance, that if
- 9 this plan went forward you didn't want to hear about it any-
- 10 more, you didn't want to have any discussions with him about
- 11 it?
- 12 A That is correct.
- 13 Q And did you also have a conversation with Mr.
- 14 Magruder?
- 15 A Mr. Magruder was present when that conversation
- 16 transpired and he was aware of my comments to Mr. Liddy.
- 17 Q So as far as your own knowledge of the substance of
- 18 the meeting was concerned, Mr. Mitchell did not disapprove
- 19 Mr. Liddy's overall going ahead with this plan, or some in-
- 20 telligence plan?
- 21 A Well, of course, I can only speak for the part of
- 22 the meeting I was present at and there was no disapproval
- 23 then, no.
- 24 Q Now, did you shortly thereafter seek an opportunity
- 25 to report on these meetings to Mr. Haldeman?

1 A Yes, I did.

2 Q And did you get a meeting with him?

3 A Well, I recall some difficulty in scheduling the
4 meeting. So Mr. Higby was aware of the fact that I wanted
5 to see Mr. Haldeman and, as had been done on other occasions
6 when I wanted to see him, Mr. Higby worked me into the schedule
7 when another meeting had either been postponed or cancelled or
8 delayed, and made an opportunity for me to get in there and
9 see him.

10 Q And what was said by you and Mr. Haldeman when you
11 made this report to him?

12 A Well, I described to Mr. Haldeman what had been
13 going on in Mr. Mitchell's office. I gave him a brief descrip-
14 tion of the type of plan that Mr. Liddy had developed. I told
15 him that I certainly didn't think that muggings and buggings
16 and prostitutes and the like were necessary to deal with the
17 problems as I saw them, and that I didn't really want to have
18 any part of this, and I didn't think anybody at the White
19 House should have any part of it.

20 And Mr. Haldeman agreed that I, indeed, shouldn't,
21 and so instructed me.

22 Q In substance, what did he tell you?

23 A He told me that he agreed that, you know, this was
24 not necessary and I shouldn't have any part of it.

25 Q So he just told you to stay out of it?

1 A That's correct.

2 Q Now, in February and March did you have any further
3 conversations with Mr. Liddy about legal matters or other
4 matters?

5 A Well, as I referred to earlier -- and I was referring
6 in the broader context of when Mr. Liddy first went over and
7 continued after -- he would come to my office and seek in-
8 formation regarding election laws, or he would prepare memo-
9 randa on a given matter of the election law.

10 They would often be referred to my office to deter-
11 mine whether I fully agreed or might disagree with Mr. Liddy's
12 opinions. So I did have contact with him, and I can recall
13 one instance when he came to my office and he wanted to talk
14 about the intelligence plan, which he said he just couldn't
15 get off the ground.

16 And I said, "Well, Gordon, you recall that we're
17 not going to talk about that." And he said, "Yes, I under-
18 stand." And we did not talk about it.

19 Q Now, when he said he couldn't get it off the ground,
20 what did he mean by that?

21 A Well, he couldn't get it approved is what the sub-
22 stance of the conversation was.

23 Q Now, in about late March of '72, did you learn that
24 Liddy and Magruder had had some kind of an argument or dis-
25 agreement -- falling out?